



#GP1732  
PATENT  
Attorney Docket No. 500991  
Date: November 22, 2002

For Application of: **BATTERY SWAB**  
Application No.: 09/714,318  
Filed: November 16, 2000  
For: **METHOD FOR BLENDING AND FABRICATING PERSONALIZED LIPSTICK**

**COMMISSIONER FOR PATENTS**  
**Washington, D.C. 20231**

Sir:

Transmitted herewith is a response to an office action in the subject application.

Applicants claim small entity status of this application under 37 CFR 1.27.

**Petition For Extension Of Time**

Applicants petition for a extension of time under 37 CFR 1.136, the fee for which is \$0.00.  
 Applicant believes that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicant hereby petitions for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.

No additional claim fee is required.

Other:

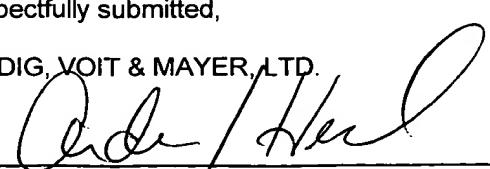
The claim fee has been calculated as shown below:

					<b>SMALL ENTITY</b>		<b>OTHER THAN A SMALL ENTITY</b>	
<b>CLAIMS REMAINING AFTER AMENDMENT</b>		<b>HIGHEST NUMBER PREVIOUSLY PAID FOR</b>	<b>EXTRA CLAIMS PRESENT</b>	<b>RATE</b>	<b>ADDIT. CLAIM FEE</b>	<b>RATE</b>	<b>ADDIT. CLAIM FEE</b>	
<b>TOTAL</b>	33	MINUS	29	=4	x 9=	\$	x 18=	\$72.00
<b>INDEPENDENT</b>	5	MINUS	5	=0	x 42=	\$	x 84=	\$0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE CLAIM					+ 140=	\$	+ 280=	\$
					<b>TOTAL</b>	<b>\$</b>	<b>TOTAL</b>	<b>\$72.00</b>

- Please charge my Deposit Account No. 12-1216 in the amount of \$72.00. A duplicate copy of this sheet is attached.
- A check in the amount of \$ is attached.
- The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.
- Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

By:   
Andrew J. Heinisch, Reg. No. 43666

One of the Attorneys for Applicant(s)

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PATENT  
Attorney Docket No. 500991

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Mary Swaab

Application No.: 09/714,318

Filed: November 16, 2000

For: METHOD FOR BLENDING AND  
FABRICATING PERSONALIZED  
LIPSTICK

Art Unit: 1732

Examiner: Stefan Staicovici

# 8/B  
P.L.H.  
12-402

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
Washington, D.C. 20231

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Dear Sir:

In response to the Office Action dated August 27, 2002, please enter the following amendments and consider the following remarks.

**AMENDMENTS**

**IN THE CLAIMS:**

Replace the indicated claims with:

- Sub C* 1. (First Amended) A method for custom blending and fabricating a lipstick at a retail establishment to personal specifications of a person, the method comprising:  
receiving a customer demand from the person for a custom blended lipstick at the retail establishment;  
mixing selected quantities of a plurality of selected pigments in accordance with the customer demand to arrive at a pigment mixture;